

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

SHERMAN DAVID REIF,

Defendant.

Case No. 2:15-cr-00148-RFB-CWH

ORDER

Before this Court is Defendant's Emergency Motions for Compassionate Release under the First Step Act, (ECF no. 68 and 69). On August 26, 2020, this Court held a hearing to address these motions with defendant appearing by teleconference at the videoconference proceedings. For the reasons identified at the hearing which are incorporated by reference here, the Court grants the motions.

The Court finds that Mr. Reif has now satisfied the exhaustion requirement under the statute, 18 U.S.C. §3582 (c). The Court further finds based upon Mr. Reif's serious chronic medical conditions and the potentially severe life-threatening complications from a potential coronavirus infection that there are extraordinary and compelling reasons supporting immediate release. Finally, the Court has reviewed the factors under 18 U.S.C. § 3553 and finds the application of these factors to this case support Mr. Reif's release at this time.

Accordingly, IT IS ORDERED that Defendant's Emergency Motions for Compassionate Release under the First Step Act, (ECF nos. 68 and 69) are granted. The Court ORDERS a time served sentence, in addition to the standard and mandatory conditions of supervision, the Court also imposes the following conditions of supervision:

1. Release Date – You shall be released on September 3, 2020.
2. Residence at Residential Reentry Center - You must reside at the residential reentry center for a term of 540 days. You must follow the rules and regulations of the center. The Court waives the cost of any subsistence fee. The Court will allow defendant to move to an approved residence with the home confinement condition and GPS condition in place. Defendant must provide evidence of a residence in the form of a lease or other confirmed arrangement prior to seeking approval of the Court;
3. Home Confinement with Location Monitoring - You will be monitored by the form of location monitoring technology indicated below for a period of 18 months/540 days, and you must follow the rules and regulations of the location monitoring program:
 - a. Home Detention - You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer for a period of 540 days;
 - b. "GPS" Location Monitoring - You will be monitored by the form of "GPS" location monitoring technology for a period of 540 days, and you must follow the rules and regulations of the location monitoring program;
4. Status Conference - You must appear before this court within 45 days of release from BOP custody to review the terms of supervision imposed.

Failure to maintain any of the conditions imposed would potentially result in a violation of conditions of supervision.

IT IS FURTHER ORDERED that Sherman David Reif shall be released from custody pursuant to this order on **September 3, 2020 by 10:00 a.m.**, PST.

DATED: September 2, 2020.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE